

A  
LETTER

5

FROM A  
GENTLEMAN  
OF THE

Romish Religion,

To his BROTHER a Person of Quality  
of the same RELIGION; Perswad-  
ing him to go to Church, and take  
those Oaths the Law directs, Proving  
the lawfulness thereof by Arguments  
not disagreeable to Doctrines of the  
ROMAN CHURCH.

---

L O N D O N,

Printed for *John Starkey*, at the *Mitre* within  
*Temple-Bar.* MDCLXXIV.

1771

Dear Brother,

**T**HE business of your pleasant Letter I can no ways judge could be the motive of its jocular style: Is conviction for Recusancy so slight a matter, that it is only to be laugh't at, or is it that you have a mind to give his Majesty two of your three thousand a year? I fear not but it may be then you have been reading Mr. Cowley's Verses out of *Hesiod* lately.

*Unhappy they to whom God han't reveal'd  
By a strong light, which must their sense controul,  
That half a great Estate's more than the whole;  
Unhappy from whom still conceal'd does lye  
Of Roots and Herbs the wholesom luxury.*

But truly, Brother, believe me, if these Verses were Canonical Scripture, yet would they be too little to keep body and soul together, when the seizure is made by the Sheriff.

Yet is not 2000 a year worth inquiring after, at least to know some small reason for parting with it? Methinks it should be so; I'm sure, if it was mine, I should cry two words to a Bargain before I parted with a soule of it, except some body would secure me *Terra firma* in Heaven for Reprisals. And for your sake I am resolv'd to argue the point with our Holy Father the Pope, a little to know why we his poor despis'd Children in *England* are bound to do some things at his commands, he no ways expects from his

more indulged ones in other Nations ; and such things too that practised produce our utter ruines.

Now good honest Friend Mr. Jesuit, mind not me, but follow your more necessary Employments of answering the Doctors *stillingfleet*, *Tilleson*, and *Floyd*, with the rest of the Papist-Grinders : For I am no ways denying the Popes Infallibility, but will give him fair play, and allow him to be a more considerable person of Honour than consists with the posture of the times, or my present affairs.

Nay, if it will do him any service, I will grant him at present to be not only Supreme Bishop, chief Ruler, universal Head, or sole Head of the universal Church ; but let him be as great, magnificent, and powerful as his most flattering Courtiers would have him, that is, as great indeed, as the Devil himself pretended, when he proffered the whole Earth, and consequently universal Monarchy to our Saviour for a little worship. Let him be all this at present, if he pleases, say I, yet I hope to prove that an English Roman Catholick, and consequently you, Brother, may go to Church as the Law directs, nay ought to do it notwithstanding any commands or pretended commands from him or his holy Predecessors to the contrary.

For let us consider, that this Omnipotency of his power, be it more or less, must needs terminate in this, that he has no power where he will have no power, and cannot command where he will not command : Nay, I may safely conclude, That a good Catholick may believe he does not command where he plainly, openly, and solemnly says, he will not command, till he unsays that saying.

This



This in plain terms is the Popes fate now in *England*; they have long since by an unrepeal'd publick Act of their Authority, Excommunicated in the highest manner this whole Nation; interdicting to the very ground that feeds us, and the air we breath, any spiritual Blessings or Benefits.

Now this solemn Excommunication not only casts out of the Fatherly protection and care of the Pope, those who fall under it; but deprives them of the use of Sacraments, Masses, Indulgences, Churches, Succession of Bishops, Priests, and Holy Orders, and all other Christian Rights and Priviledges whatsoever, as plainly appears from the very form used in doing it; as likewise in the practice of this Kingdom in King *John's* Time, as is proved by our Histories, when for six years this Kingdom remained under it; and lately in *Venice*, when the Jesuits left that State rather than obey the Senate, in performing Holy Offices contrary to his Holinesses intention, which Act of theirs they to this day justify.

I might instance many more Examples, to prove the sad Condition of Countries Excommunicated, if the Exalters of the Popes Authority were Infalible, Heavenly Oracles: But I having nothing to do in that point, shall only glance at those things necessary to my present purpose, which is, to save your Estate, Brother, and therefore shall still allow the Pope his most extended Infalibility, since that makes not at all against me in this Argument. For 'tis not material to me that Father *Paul*, Author of the History of the Council of *Trent*, does in his defence of the State of *Venice*, against the proceedings of Pope *Paul* the Seventh, prove, that Excommuni-

communication is a spiritual punishment, which implies there ought to be an offence, and that except there be, the Censure cannot reach the Person against whom it was intended. I say, though this be reasonable, nay, may be unanswerable as to the thing then pleaded for; yet it will be no ways satisfactory to the point now in hand, which is, whether the Pope has any Authority left in *England* or no, for that is plain he has not; for though at first it may be all our Grandfathers did not justly incur so rigorous a sentence, as to be wholly lopt off from the Catholick Church: yet that Pope that excommunicated them, and those ever since, have absolutely refused to have any Spiritual care of them, and consequently command over them; renouncing it then, and Annually renewing that Renunciation ever since; so that there has been no continuation of Bishops in this Kingdom, nor cannot be according to the Institutions of the Roman Catholick Church, till that solemn Excommunication be taken off.

In this Condition is *England* and *Scotland* put by the Pope, whilst *Ireland* our neighbour and fellow Subject Kingdom still continuing in his Holinesses good Grace, enjoys all the Priviledges from him of the most Catholick Country.

So that I conclude, the Pope's Infallibility will certainly reach this, at least; That he has Power to refuse to Govern, Command, or Protect all he pleases, and wheresoever he pleases: amongst which Places, I take *England* to be; since he, and all his Predecessors since *Pius Quintus's* Time, have solemnly declared it to be so.

Then, Good Father *Clement*, since you will have  
nothing

nothing to do, I desire you will still stand by, and let us shift for our selves as well as we can. As for the Gentlemen Missionaries you have sent to convert us, I hope we shall be able to deal with them well enough, for all we go to Church; which I am about to prove to you, Dear Brother, we may lawfully do.

First, The thing in it self is by all Casuists in the World allowed to be no Sin, but wholly Indifferent; as is plain from the Practice in *France*, and all other Nations. But this is such a Truth, that should I bring Arguments to prove it so, it would appear as impertinent in me, as a long Harangue would be to prove there are such things as Penal Laws against Recusancy in *England*: which, I suppose, to you, Brother, would be very needles.

Now this granted, That it is not *Malum in se*; how then can it be a Sin? Certainly it must be against some express Command to the contrary; and so it will fall under that Head of *Malum Prohibitum*. Now if I prove it not under this last, then it can be no Sin at all: And this will be no hard Task to perform.

For, Dear Brother, do but bestow a very little thinking (Half as much as a Meditation before a Mass, will serve) of that Authority which the Pope has left himself in *England*; and you will find, that all Bulls formerly sent, or hereafter to come from *Rome*, during the continuance of this Excommunication are to be lookt on here as fraudulent, false, and forged ones, no ways binding the most zealous of his Holiness Children, nay rather as things that in a most abusive manner give the lye to the solemnest Discipline and Rights of holy Church.

For

For in no Action can his Holiness so clearly express his intention and power as in those of solemn Excommunications against Nations, they being the most visible and publick demonstrations of his pretended Omnipotency in governing the Earth. Now is it not more than Schismatical Insolence to affirm, that his Holinesses Empire and the Church is so divided in it self, as that one personal Act of his should positively contradict and give the lye to another, as it must plainly do, if he after the solemn Excommunication of a Nation, shall, during that censure, send any Bull of Direction to guide the people thereof in their journey to Heaven, whither he openly declares they never shall arrive, having as much as in him lies, sealed up the Gates of Glory to them? For to this purpose or none tend all Excommunications, which are pursuant to the promise of Binding and Loosing. Therefore from this reason I gather that several things done and taught by the Jesuits and Missionary Priests here, not only fall under Protestant Laws of Treason and Catholick National Laws of *Premunire*; but are also contrary to the Fundamental Rules and Practices of the Roman Catholick Church it self.

For an instance, Indulgences given by his Holiness to the Catholick Church in general, these are often published at Mass and in Sermons by Missionaries here, and the means to obtain the benefits of them zealously pursued and performed by Catholicks. Now allowing the utmost benefit to be really in them that ever Pardon-seller in *Spain* pretended, yet to English Roman Catholicks they can be nothing worth; for by that infallible power resides in the Church best expressed

prest in lawful general Councils, of which sort we all say the Council of *Trent* was. I say by this infallible Power and in that Council is taught, That the intention of the Agent is absolutely necessary to the performance or end of any Religious Action, or the benefits to arise thereby. Infomuch that the intention of the Priest, directed to the contrary, shall null or rather make absent the Sacrament of Baptism or any other Rite, notwithstanding all Ceremonies necessary were performed.

Now if this be truly so, as you and I, nay all Roman Catholicks are bound to believe, how much more will it operate in this trick of Indulgences, which flow only from the Fountain of the Popes good pleasure, and can certainly operate no farther than he intends them, which cannot be to *England*, or any English man, they being put wholly out of his Fatherly care and protection by his grand Interdiction, the best discovery of his intention that can be, except when he expresses himself in a general Council?

Pardon this short digression concerning Indulgences, it being only to illustrate this infallible Truth, That these Indulgences or any other Bull in general or directed in particular to this Kingdom, cannot be supposed to flow from the Popes intention, since they so palpably are against his more solemn declared pleasure, which he annually renews. Nor ought any Roman Catholick here look on them but as the tricks of private Missionaries for their own advantage, since they perfectly contradict, not only the Laws of the Nation, but the Fundamental Laws of the Romish Church it self.

We may indeed speak of Popes Bulls, Brother, as of Letters Patents obtained from Princes of course, which though, when according to Law, are binding, not only to Subjects, but against themselves and Successors; yet when they proceed contrary to the Fundamentals of their Government, then are they of no value, but in themselves void, Mankind always in such cases supposing the Prince to be deceived in his Grant: So stands the Case here. Till his Holiness takes off the Excommunication of this Nation, which is an effect of his plenitude of Power, and accords with the Fundamentals of his Regiment; no Bull sent hither ought to be taken notice of, they being in themselves apparently void, as well as contrary to the Laws of the Nation, made in Catholick times, near two hundred years before the Pope cast off it, or it the Pope: Bringing in a Bull to this Kingdom without the Kings leave, being then made *Premunire*, which Law was for all that time complied with by very many, and as we say, Good Popes.

To sum up all, it comes to this: Things in themselves no sins, cannot become such, but by some lawful prohibition. Going to Church in it self is no sin, nor can it become so by the Popes Command to a Country in which he renounces all Power: *England* is such a Country; therefore till he or his Successors take off the Excommunication, no Catholick is obliged to take notice of that, or any other pretended Command sent from him hither, but perfectly (*è contrà*) Therefore going to Church is lawful in *England* for Roman Catholics.

But not to leave the point thus: I begin to doubt  
extremely,

extremely, whether we are not obliged in Conscience to go to Church as the Law directs, or at least when we omit it, freely to pay the penalty. For it is granted on all hands, that a thing not *malum in se* may become *malum prohibitum*, if commanded by lawful Authority, which I hope none of us will deny the Government in *England* to be: I'm sure he that should, would deserve the severest execution provided by the most sanguinary Law. Now the Government of *England* requires all the Subjects thereof to meet together at such a time and such a place, no matter where, suppose it *Salisbury* Plain; doth any man think he would deserve the protection thereof that should obstinately, without lawful excuse, refuse to come thither? no certainly he would not, only incur deservedly the penalty provided; but speaking like Christians, who are directed to obey for conscience sake, he would commit a grievous sin against God. Now what excuse can we make for our obstinacy, in refusing to go to the Churches at times commanded? The Popes pretended Commands will not do; for were they more binding than the Laws of a Nation, which certainly they are not, yet can we have none such from him, having no Bishops or Spiritual Superiours left, whom we might or ought to trust for the truth of them when they came, and we have his too too solemn promise, that he will have nothing to do with us. This being so, I am afraid the private discourses and false pretences of private mercenary Jesuits and Missionaries will not be a sufficient Basis to rely upon before the last Tribunal for such obstinate resistance against lawful Authority in things in themselves wholly indifferent.



Now, Brother, I know Mr. Politick the Jesuit, if you shew him this, will presently bless himself with the sign of the Cross, desire all to joyn in a *Pater noster* and *Ave Maria* against the infection, and then dogmatically affirm I am turned a rank, nay dangerous Heretick. Your Daughters must be desired to visit me no more, for fear of perversion; nay you will be perswaded to double my Annuity, on condition I never see your face again. Well, if these afflictions should happen, I cannot help it; but for the mind I am in, it must be stronger Arguments shall hinder me from avoiding conviction, as long as with a safe conscience I can. And I think there are none such; for I have considered all I ever hitherto have heard, and to me they appear weak and impertinent. But that I may not be thought only to affirm this, I will sum up all I know any thing to the purpose.

To begin first then with scandal, which is one Argument mainly urged, I suppose it can never be intended, that if a weak Brother, *id est*, perhaps a Fool, shall be troubled in mind that I have six dishes of meat at my Table, and himself and many better Christians than I, have, it may be, scarce half a one; That I must therefore, for fear of being an eye-sore to him, retrench my self to his fragments. And yet *S. Paul*, as to his own practice, seemed to resolve this, since he says, he would never eat meat whilst he lived, rather than offend the weak brethren: So I suppose, and reasonably, that his Doctrines of Scandals were calculated for the use of Christian Teachers, and those that sought to be Rulers in the Church. For had he intended them for all Christians, I am afraid they would have proved heavier



heavier burdens on Believers than ever were imposed on the Primitive observers of the Mosaical Law, and would have but ill accorded with the great Argument for Conversion, which was Christian liberty from duties which they and their forefathers were not able to undergo. Nor is it reasonable to think I am bound to part with two thirds of my Estate, because some fool my neighbour may think me an Heretick by my going to Church; no, let him think on, the sin is his, not mine, who do nothing but what in it self is lawful, and what becomes my duty by the Laws commanding it. But he judges amiss of my interiour Faith by my outward actions, though lawful, and therefore sins in want of Charity. Thus much I believe may serve for Scandal, though much more might be said.

The next Objection proceeds from this, that it is made the sign of Faith, and therefore he that complies in it, owns the Church of *Englands* Doctrine: but this must be by all rational men positively denied, if they will consider these following Circumstances.

First, when going to Church was commanded in *England* by a Penal Statute, it was designed rather for opportunity to instruct people, educated Roman Catholics, in the Principles of the Protestants, than as an Act of general Uniformity in Faith, which could not so suddenly be expected. Next, it would have been a vain way of trying the Faith of Papists by a thing they might lawfully, according to their own Religion, do: nor can we believe the people of *England* assembled in Parliament could be so ignorant, had they been minded then to have known the hearts of persons, as to have fallen upon so impertinent a test. For

to

to my sorrow we find, when they intended, that they knew a ready and infallible way to do it.

But suppose the worst, that the Law designed it as a tryal of Faith, and a discovery of persons Popishly inclined (permitting still the thing in it self to be no sin) that can no ways oblige you to the refusal of it; for I would desire Mr. Jesuit to tell me, why you are more obliged openly to declare your self a Catholick, than he is to owne himself a Priest? fear of death I am sure should not deter him, since, if he dyes, his Faith calls it Martyrdom, which gains a Crown of Glory, a temptation sufficient, and much beyond what any of them will secure you for your Estate. But if he, like *S. Paul*, thinks it lawful to get down in a Basket, you may as advisedly come to Christ by night. For is it reasonable, that because the Law says, Every Popish Recusant shall be convicted, that therefore I should be bound presently to run and confess my self a Papist at the next Sessions? For 'tis as rational to affirm that, as to say I am bound, when the Law prescribes a thing to be done for tryal of my Faith, which I may in Conscience do, presently to cry out against it, and refuse it for that cause only. If that were so, then it would be no hard matter, by another trick, to banish us all the Realm, by declaring, whosoever should be within this Kingdom on the 25 of *March* next, should be esteemed to all intents and purposes no Roman Catholicks, but good Sons of the Church of *England*, whether they communicated in it or no.

Now I am afraid, Brother, if such a sign of Faith as this were by the Law made, yet Mr. Jesuit would find many excuses for staying after that time. But if he  
would

would not, I wish with all my heart the Parliament would make such a Statute, that we might be rid of them. But they know better their Principles, than to hope so fair a riddance by so easie a way; no, these are but weak Arguments to lead the too believing Laity by the noses, it must be stronger toys that shall catch their Elephant understandings. Therefore, good Brother, let you and I be no longer held by them. For 'tis plain, neither scandal nor *signum fide* ought to be a hindrance to me from doing a thing in it self indifferent, and which becomes my duty by the Law's commanding it.

The next material Objection I have from some of our Spiritual misleaders met with, is, That as Faith comes by hearing, so does Heresie; therefore we ought to avoid the place where it is taught, lest we should be misguided into it. If you answer this, by saying the Argument would hold all the World over, and so make it a sin as well in *France* as here, then they reply, That in Catholick Countries, though you hear Heresie in a Protestant Sermon, yet you have a Catholick Sermon presently clears the point, and makes it indubitable on the Churches side. Now this by the Prohibition of Religion is prevented in *England*, and therefore the case very different.

One would think this a very subtile Argument, so notably put together, that there would be no possibility of answering it, if one did but very much stand in awe of the Magisterial Mountebank, that it may be with a world of Rhetorical flourishes, and grave Quotations out of *scotus*, doth positively affirm this to be the opinion of all School-men, nay the Catholick Church it self.

elf. But Heaven knows, examine it a little, and you will find it a meer rope of sand, as solidly compacted as their ridiculous, though politick Doctrine of Probabilities, and no better.

For will not they, or any observing man confess, that the Romanists of *England*, take them one with another, are ten for one more learned and confirmed in the Principles of their Religion, than those of *France*, or any Catholick Country indeed are? He that considers that most of the Natives of this Kingdom, who are of that Faith, be either Persons of Quality, who have had great advantages by Education, or Converts from the Protestants, will easily believe there must be a great disparity between such and the general herd of Vulgars, bred in Countries under a Religion no ways famous for making the common people too knowing.

But suppose it is not so, and that those who have so long struggled under difficulties in their Fortunes for Conscience sake, have done it more out of ignorance, the Mother, as some say, of Popish devotion, than of understanding; yet will the former Argument wash away in that part which says, those in Catholick Countries have more opportunity of being untaught what they might prejudicially have suckt in. For none will deny, but more Doctrine is collected from rational discourses *Pro* and *Con*, than from such set Speeches as Sermons are. Therefore considering there are few Gentlemen in *England* of the Romish Religion, who have 500 *l. per Ann.* but keep a Priest in their Household; How is it likely, if good Arguments be to be found against every thing the Protestants teach contrary to the Romish Faith, but that they should presently

sently, upon inquiry, have their new-raised scruples at Church by such sooner and stronger wip't off, than a person that it may be in a Catholick Country may go to Church both Sunday and other Holy-day a year before he hears any Sermon, casually to glance upon that point, whereon such doubt of his arose? And I dare affirm, so sweet is the profit the Jesuits and Missionaries find in *England*, that there resides, and is like to do constantly so many here, that few Papists need to be a day from speaking with one of them, and that is an advantage equal to the most Catholick Nations.

But suppose all here said nothing to the purpose, but that 'tis likely many would be changed in time, and become Protestants; What is that to you or I, Brother, or indeed to any rational Lay Catholick in *England*? for he whose case it should be, need not much repine that his conscience should lead him into a more advantageous Religion as to this World: and for the other, he would no doubt be as confident of a good place there, if he acted purely upon the score of Faith, as ever he was whilst he remained Papist.

But I confess many such accidents as those would shrewdly inconvenience the Priests, and in time lessen their number: But still what is that to you or I, Brother? I find no Canon of any General Council commanding you to give two thousand pound a year to increase the number of Priests, or to maintain those that be. Nor can I believe Christian Religion ever obliged its Professors to such remote considerations. No, all men were not bound, like *S. Paul*, to love to that extremity, as to wish damnation for their Country-mens sakes. They that can, let them; but still say I, Brother,

ther, keep your money, you'l repent it else one day, take my word for it.

Another Argument I have heard started, which is, that if Catholicks should go to Church, yet the Parliament would at last find out something like the late Test for Employments, by which they would be found out, and so consequently be no ways the better, but suffer equally to what they should do by Recusancy.

To this I answer, that I ought as a Christian to obey the Government, as far as I can in Conscience, and that for Conscience sake, and to trust the Divine Providence, in whose hands are the hearts of Princes and Rulers, for any thing by them for the future to be commanded; which if I cannot then comply with, I must either follow the direction of flying in persecution from city to city, or patiently suffer for my sins what God shall please by the Law to impose upon me. But this supposition, how well grounded soever it may seem, ought not to hinder me from complying, as far as I am able at the present; such test, when, if ever, it comes, will then with its penalties be time enough to submit to.

But I am of the opinion, and not without some colour of reason, that such a Test may never be, especially if Catholicks would leave off Recusancy. The grounds for my conceptions are these.

The People of *England* boast of this Priviledge beyond most *European* Nations, if not all, that no person is bound by Torture or Oath to accuse himself of any thing, which by the Law is penal; but that proof ought to come of matter of Fact before he suffer. Now this is rational a Priviledge, which frees us from the slavish subjection of those governed by the Civil Law, all  
English

English Parliaments hitherto have been extremely tender of, as appears by those Laws provided for security of Religion since the Reformation. For every person knows, they who incur punishment by not complying in Forms of Worship, or matters of Faith, do it out of tenderneſs of Conſcience, though it may be miſguided. Now ſuch perſons one may well believe would ſcruple above all things a falſe Oath: Therefore if our Law-makers had not been very careful of this Engliſh Free-mans Priviledge, they might have quickly left a latitude to Judges, and other inferior Magiſtrates by Interrogatories upon Oath to have found out all perſons, that had through Conſcience offended againſt any Eccleſiaſtical Law; as, Whether have you heard Maſs within a year or no? have you aſſerted or taught the Popes Supremacy, or brought in Croſſes, Beads, or Images, &c. But we find no ſuch Method allowed; which can ſpring from nothing but the care of this Sacred Engliſh Priviledge, always firmly rooted in the breſts of the Compilers of Engliſh Statutes. For I ſhould think, if ever they would have ſtrained the point, it would have been in detection of Jeſuits and Roman Priests, a people they have long ſtrove wholly to extirpate, as appears by the puniſhment provided for them, which is not only made capital, but of the higheſt nature any Engliſh Law has yet preſcribed; yet they never went ſo far as to force them that were ſuſpected upon Oath to purge themſelves: which had they done, none could have been left alive in the Nation. For I have this opinion of them, not one would, upon ſuch examination, deny himſelf, except he intended to deſert his Faith: And



this the Makers of those Statutes as well knew as the late Usurpers over all the Laws, Rights, and Privileges of this Nation did, when they took that never-failing Method of examining them upon Oath; and detested, though not executed, all they tryed that way. But the lawful Princes and Parliaments of this Kingdom have always avoided opening so dangerous a gap to perfect slavery; for it would be less unreasonable for men on corporal Oath to declare whether they were guilty of Treason, Murder, Theft, Forgery, Adultery, or any other notorious crime against the Law of Nature and the Nation, than that they should be forced to discover thoughts, which if not reduced into practice, could concern the good or ill of no person but themselves, and yet when known, should bring them under heavier penalties than some of the other crimes. For this reason, till I see it, I may justly believe there will never be such a way appointed in our Law for searching mens soles, whatsoever probability there hath been of it lately.

As for the late Test, that can no ways be brought in objection against me, since Nations may prescribe what Gates they please, through which any person is to arrive at preferment in it. And it is not at all unnatural or unpracticable, that a proper Oath be provided for any one that takes an Employment; nay, it hath always been the Law and Custom of this Nation, since Christianity, if not before, for every person to submit to some sort of Oath before he entred upon any trust in the Common wealth; insomuch that the Kings themselves are not wholly exempted from it. Now it is not at all more unreasonable, that one general Form over and  
above



above such particular ones, should be prescribed by the Law-makers at their directions, for all such as seek preferments to comply with, or not be capable of them; for what I receive, but of Grace cannot be called a penalty, if I want: and under that head fall all employments in a Kingdom that are either of profit or honour. For I suppose the being hindred from those of trouble will by no person be esteemed a grievance. So the imposition of the late Test cannot be called a purgation of men by their personal Oaths, to bring them under legal Penalties. Nor can indeed the Oaths of Allegiance and Supremacy, it having been the Method of all Common-wealths to prescribe some Form to the Subject, whereby to own the Government; and that is in themselves discretion all. Nor ought we to suppose a Government can be malicious to its Members, or that it would lay snares for them, but rather that whatever they prescribe, proceeds from the desire of general security, they still framing their Oaths so, that they know all good Subjects may take them: if any cannot or will not, it lies upon such to quit the Protection of that State, and no ways obliges the State to comply with their obstinacy: And this last word for ought I know, doth too much belong to those that first brought up the custom amongst Catholicks, of refusing the two aforesaid Oaths, of which more hereafter. In the mean time I only affirm, that we ought not to omit doing our duty to the Laws, as far as they now bind us, because there may come such as we may no ways be able to comply with. But it is an hundred to one too, that may never happen from the reason aforesaid; and it would be more unlikely, if there was a general compliance in the  
mean

mean time to those things all rational men know Roman Catholicks might do, nay which many known, wise, and devout men of them have in former times, and do at this present practise, as I could instance beyond all controversie, if I pleased, in this thing at present treated of, which is going to Church. But, Brother, I know it would be needless to you, as well as prejudicial to them, and therefore I shall forbear names in a thing so notorious; only be you as wise, and do not be led by the nose to infallible ruine, by the bold, nay sawcy assertions of Fellows, whose business is to secure themselves, command over your conscience no ways belonging to them, that they may thereby be Masters of such part of your remaining Estate, as shall be necessary to their plenty or prodigality; which if they, contrary to their duty and function, sought not, why should they study false Positions, and impose them on you meerly to insnare your Estate? They ought surely to open the narrow way to Heaven at least as wide as it might be, and not lay stumbling-blocks in our ways, never found out but in this miserable nook of the World, nor no where taught or thought on, but by our Missionaries from *Rome*, and our traiterous Fugitives, that on Religions first alteration fled thither. For such being guilty of hainous Treasons against our Princes, sought first to justify their villanies by pretences of Religion, having by their pernicious, false, and damnable Doctrines and Positions, not only done vast hurt to the honest Professors of that, but have placed upon it scandals not to be wip't off but with the end of time it self. And these Wretches being grown desperate with the ill success of their damnable designs, daring not to return into that Kingdom,

dom, against which they had so traiterously practised, sought to involve all the moderate Party, which stayed behind, into ruine, in revenge of their not unanimous joyning with them in their black Attempts on the Persons of our lawful Princes and Governours. These were the persons that suggested to the Popes motives, for those idle Bulls so sent in contradiction of their more solemn declared intention, if any such did come, which we are no ways obliged to believe, did or could; but if they had or did, 'tis not at all material, they being no more significant in *England*, than a Letter Mandatory from the Grand Signior would be.

And indeed some of these pretended Bulls contained such Commands to their beloved Catholick Children here (as they were pleased to call them in contradiction to their Excommunication) that they should unanimously have Petitioned the King, that both the Original and all the Copies of them might have been solemnly burnt by the common Hangman. Nay, any person that knew him, ought upon pain of damnable sin, to have discovered the bringer of them; in that if a Priest, he might have received the well-merited death of a Traitor; or if a Lay-man, all the Law has in that case too easily provided. I need not instance which Bulls I mean, they are so often brought against the Catholick Religion it self by Protestant Writers, and sufficiently to the shame, though not of the Popish Religion, yet of those Popes who granted them, and of those Papists that adhere to, or defend such Roman Court Doctrines.

But from such Catterpillers of the Christian Faith as those, did arise, amongst many more dangerous new Positions,

sitions, this of being not lawful for Roman Catholicks to go to Church, as the Law requires in *England* And for the sakes and on the wise Authority of such desperate Casuists, have many of our foolish Forefathers lost two thirds of their Estates, rendred themselves suspected to the people, and incapable of serving, as they ought to do, their lawful Prince in his extraordinary occasions; which when they have attempted to do, this their open unnecessary dissention has cast an *Odium* unjustly both on himself and his actions for employing them.

Now if it be inquired by you or your Confessaries, what Arguments could move Pope *Pius Quintus*, or his immediate Successor, to send a Bull of Prohibition to the Catholicks in *England* for going to Church, the thing being in it self no fault, and as I affirm so positively against the Rules and Practices of their Predecessors, nay against the Fundamentals of their Government: To this I must answer, There were divers Motives in Policy, as they observed things of this Island in *Rome*, though none in Religion.

First, they were perswaded by such Traitors as fled hence thither, that almost the whole Nation remained Catholicks, notwithstanding the Queen had altered the Government. And that they would find them such ignorant ones too, as their Holy Predecessors had known them, when they made this Nation the Pack-horse to their pride, and a perpetual Fountain of Money to their Treasuries, which some of them with admiration boasted could never be exhausted. Upon these suppositions they were made to believe, that such a Bull would cause this mighty Party to be visible, not only  
to

to their Enemies, but themselves, to the terrour of one, and encouragement to the uniting of the other Parry. This was one, and it may be the grand motive of that Proceeding, so contrary to all President.

The next, and in all likelihood not the least motive might be the perswasion of those Traitors, that there would be found in *England* many as desperate as themselves to bandy together, take Arms against, or assassinate the Queen, when they saw their Parry so considerable as this would prove it, besides the blessing, must needs attends such pious endeavours, warranted by his Holinesses care and direction.

But all these Policies and Practices did by the wisdom of that Queen and her Council, only tend to the discovering such desperates, as being of the like Principles, thereon took Arms, and were for it deservedly executed, or forced to increase the numbers of those Fugitives in voluntary Banishment. But notwithstanding this might, like a Message from Heaven, sufficiently have warned the Catholicks of *England* from hearkening any more after News from *Rome*; at least till the Popes should have been so charitable to re-admit them into the Congregation of the Faithful, by taking off the Excommunication from them; yet have the private Missionaries (being all sent into the Nation under the title of Traitors by the Law) so adhered to the Tenets of the Court, as well as Church of *Rome* which sends them, that they have by degrees instilled into the Laity here many Principles of Adherence to the Pope, that would be laught at in *France*, and some few other rational Catholick Kingdoms. Amongst which, this of thinking the Popes Commands can make

D

that

that a sin, which in it self is none, ought to be accounted one. Upon which ground alone they refuse to obey the Law in the thing now in debate ; for which I think they are but justly punisht with the loss of their Estates.

But, Brother, be you wiser, study the Catholick Doctrine, as it is taught by Fathers and Councils, and not as it would fain be made by the novel Positions of *Ignatius's* Followers, between whom and you there is a vast difference; both in the duty you owe to the King and his Laws, as likewise in those you stand obliged in to *Rome*.

For first, they and all other Missionaries, being the hour they set foot here, become Traitors, and so consequently in all the business they come about, not only out of the protection, but under the severest censure of the Law ; no wonder they have not the same respect for it other Subjects ought to have, but dare practise lesser contradictions that offend in the greater. Nay it may be against their going to Church Scandal would prove a good Argument, since they pretend to be ready always to lay down their lives for the increase of their Faith ; but this is no ways your or any other Lay Catholicks case, the Law, if you obey in some particulars prescribed, giving you equal protection with others of the National Principles.

Another thing to be considered, is, That the hour they receive Holy Orders, they take an Oath of Subjection to the Pope, and so by the same Act become Renouncers of their Allegiance to the King, and Subject to his Holiness. Now how far this may be consonant to Christian Religion, I will not examine here ;  
but

but I am sure it puts them in a very different posture, as to the Popes designs, to what any other Catholicks are in: They being, according to their vow, upon the least summons to leave the Country, and to go where his Holinesses good pleasure appoints them; which I hope none of them will be so impudent to say you are obliged to do, Brother, except it be such as hold the mad Doctrine of Popes having power to depose Princes. For though the other doth not sound so ill, yet is it in effect the same; for to be able to command a Princes Subjects out of his Dominions, doth imply a power of leaving him none there, which would produce an effectual deposing of him in the end.

Another considerable difference between Lay Catholicks and Missionary Priests in this Kingdom, arises from the ones having Estates, and the other none. For no body can blame the last sort of Gentlemen to desire their power over the Consciences of the other should be as far extended as might be, if one consult, as most of mankind does, their private interest. Alas, what is it to Mr. Politick your Ghostly Father, that you shall lose by your Conviction 2000 *l.* a year? his Allowance will be never the less, he knows, but his power will be much more. For in the first place, that is a sure sign you are as firmly resolved to live and die a Catholick, as if he saw you at the stake to receive Martyrdom for it. Do you think after that he will not take upon him to direct you what Servants it is proper you keep, how many Horses, and when you may use them for recreation, and when not? At what hour Mass shall be, and what is the critical minute for Dinner, Supper, and Bed-time in a well-ordered House? If I had not seen



the domineering Domine's extend their spiritual Dominion in a devout Family, much beyond these small matters, I would have been silent; but Heaven knows, and so do you, Brother, that in such Popish Families, where the Hen-crows, these are but the least of their insolencies: For such Women as are very ill-natur'd to their Husbands, and perhaps something ugly, have little to employ their time in but Masses, Litanies, Rosaries, Jesus Psalters, and Juniper-Lectures; and these are generally great Friends of the Priests, with whom they share the Dominion of the Hen-peck'd Gentleman, till poor man he is glad to make the Confessaries an Advocate to his devout Bed fellow for a Play-day, that he may have leave to meet some few Neighbours to dust a stand of Ale, which he wishes may prove bottomless, that he might not be forc'd to return again to keep company by stealth with his Fellow-servant the Steward in his own Cellar, where he bribes the Butler with a stolen Tester to keep counsel.

Now in this condition, dear Brother, on my next Visit I expect to find you. By that time I suppose all things will be put in due discipline in your Household, where, no doubt, I shall be welcom'd with *Friday-Fares*, and new appointed Fasting-days for my Conversion, or at least driving me out of doors again; but be it as it will, I cannot forbear telling you, that the Priests, who have nothing to lose, will animate you by false pretences to incur the Sequestration that will suddenly succeed your late Conviction, whereby they will confirm their yet doubtful Tyranny over your Conscience, and then see what will follow. Besides the loss of that goes into the Exchequer, you will find a  
strange



strange growing charge for Indulgences, Masses for your Grandfathers, Fathers, Brothers, Sisters, and all your departed Relations Souls. Nay, if I should be so unkind to you as to die too, 'tis not twice my Annuity would pay for all the conditional Masses they would say were absolutely necessary for my terribly to be doubted Soul. Alas, Brother, you cannot consider what a chargeable thing devotion in our Religion is, if it be accompanied with visible ignorance, and that the Priest once know the blind side, all goes, and there is no sign of it neither, the Jesuits having a bottomless Bag, into which they throw all they ever have or shall get from the foolish Penitents of their Order.

I could, nay would, and if provoked, will name several particular Cheats acted by the Fathers of the Society on devout Catholicks that were their Penitents, and had good Estates, but were almost undone by them in these late times. But I am as loth to scandalize them, as I am sure they will think me by this Paper willing to do it: and therefore I shall omit mentioning any of them particularly, especially to you who I know are sensible of some of them your self. But leaving all these particulars, or any thing else that may too much reflect, I will return to the matter in hand, which is the lawfulness of going to Church, whatsoever they or any of their Predecessors have, or can say to the contrary.

I think I have made it plain, that neither the Popes Commands, Scandal, sign of Faith, want of Opportunity to be satisfied in the scruples Sermons might raise, nor the fear of some future Test, can oblige any Lay Catholick to disobey the Law by Recusancy: But  
rather

rather notwithstanding these Priestly Inventions, they are all obliged in Conscience to go to Church, as long as the Magistrate, who gives vigour to the Law, requires it. Now I will a little touch upon those things that the Law farther requires to be done by Lay persons, not seeking Employments, and so leave you afterwards, Brother, to your prayers and tears, that God would turn the hearts of the Rulers, if you shall still obstinately persist in your resolution of rather suffering in a crowd without reason, than save your self by it.

First then, let us consider the Oath of Allegiance, against the taking of which there want not numbers of Jesuits and Priests that do exclaim, nor many Catholics that thereupon fear to take it, though as King *James* well observed in the compiling it, there was particular care taken as well by himself as others, that there might not be one word in it, which might raise a scruple in a person willing to obey the Civil Magistrate.

Yet notwithstanding, this is so certainly true, that I never yet could meet with one rational Argument against any sentence, word, or syllable in it (except such as were grounded on that, not only Heretical, but Diabolical Doctrine of the Popes having power to depose Princes) notwithstanding this, I say, yet had and have the Missionaries such full dependence on the Court of *Rome*, that a great part of them, but especially the Jesuits and their Devotes did always both then and lately strive to raise scruples in the Consciences of the more confiding sort of Lay Papists, to hinder them from taking it; by that means striving as  
much

much as in them lay, to keep some ready for the execution of any desperate Attempt they might have opportunity to design upon the State.

Now, Brother, I desire you would not take me to be too uncharitable in this assertion of mine. For to what purpose else should they strive to deter men from taking an Oath, the refusal whereof is of the direst consequence, both to Life and Estate, and yet wherein there is not the least thing contrary to Religion, except the renouncing all rebellious designs be such? I wish with all my heart I could frame some other less reflecting excuse, both for those Persons of Quality and lesser persons sake, that have formerly and very lately by their insinuations, not only scrupled, but too notoriously refused giving the Kingdom that small satisfaction of their future Loyalty by taking it; but I fear it is impossible.

Now what in the name of wonder can the meaning be, that when the Law, Religion, Reason it self, and the Example of many noble, many wise, many devout, many, nay most zealous Catholicks of the Kingdom's readiness to take it, should concur to perswade all to do it, yet that there should be still a Party so led away by the dogmatical Authority of the Jesuits, that without shewing a reason, dare boldly affirm it not lawful, it may be, as a strong Argument, adding a forc't sigh, with a *Miserere* for those that do take it? I say that there should be still such a Party amongst us, that on no better grounds have, and do refuse so justifiable and necessary an Oath, is not only a great wonder, but a terrible scandal to all those of a contrary Religion.

They

They no doubt (and it may be not without Justice) do believe there wants only opportunity for Catholicks to renew all those bloody Stratagems against the State the Predecessors of the Refusers of that Oath did unsuccessfully attempt, though we in our private discourses do never so much pretend to abhor them.

For when they reflect, that few or none of us but hold the Pope can absolve us from any Oath we have or can take, and that many of us resolve not to stand in need of that, but to refuse all Oaths that should oblige us to the performance of our duty to the King; how can such, not having any violent propensity of love to us, but believe that there is some damnable design lockt up in the breasts of such Refusers, in which the others may close when it is ripe, there being no more hold of them than of a wet Eel by the tail, since an absolving Bull upon the Gates, or for a need on the ruines of *Pauls*, makes the Government and us as much strangers, as if we never had seen one the other?

Now I protest, when I have seriously reflected on ancient Popish Plots, on some sorts of Tenets, which we almost think Catholick, as this of the Popes Power of Absolving from Oaths, which Protestants believe, nay and some Catholicks too, means from Allegiance, and on the obstinacy of us to refuse the Commands of the Law in things indifferent; I say, when I have reflected on these things without the prejudice given me by my Education, I have wondred the Laws against us have not been more severe than they are, nay that they almost suffered a people, of whom they could have no more certainty in State-affairs, and so apparently declared humble Servants to a Foreign Authority, to live at all amongst them.

Now,

Now, Brother, I will not at all dispute the lawfulness in Religion to take the Oath of Allegiance, since I know you have taken it, and are not yet so absolutely bigotted to the Obedience of the spiritual Commands of your Ghostly Tyrant, but that you be ready on requiring to do it again; so that a discourse of that nature would be needless to you. But for all that, I will a little glance on that Proposition so generally accepted of, the Popes having power to absolve at pleasure any person from an Oath he hath taken.

Now that he has undertook to do this, is beyond contradiction, and that several changes and revolutions in Affairs of the World, both private and publick, have thereupon happened, is as plain. But by what Authority he at first assumed that Power, I believe is not, and may be worth a rational Catholicks inquiring after, that he may the better know how with a good Conscience (that will hold test before the Popes Superiour at the last Tryal) to demean himself in a Country, whose Magistrates are of another Religion.

Now as a step towards this matter, I will beg leave of his Holiness to believe there were men in the World, and Governments too, before there were Popes; and that there were too amongst them certain Moral Rules, by which they began, continued, and increased in the World. Now no doubt amongst many others there were solemn Compacts confirmed by overt Acts, which they accounted Sacred; and whosoever, after having entred into such Holy obligations, did violently break them, were by the rest of mankind either extirpated, if dangerous, or despised,

sed, and never more trusted, if weakly so perjur'd.

Now it will as certainly follow, that new Accidents and Revolutions in Common-wealths or Families, might make it morally necessary, that the obligations lying upon one or many persons therein, by such sacred ties, ought to be broke for the safety it is possible of the whole. An observation of which Mankind soon found out Methods to distinguish persons so necessarily acting against those sacred ties which we call Oaths, from such as wilfully despised them; That the first sort, though breaking their Vows literally, might be kept from the scandal and punishment of Covenant-breakers, whilst the last should remain still under the lash of the Law, or contempt of their fellow Creatures.

Humane Nature falling necessarily under these circumstances, it was requisite to appoint or agree upon some Judgment, which should be absolute in the point of determining when men were perjur'd by breaking their Vows, and when not, to which persons naturally would have recourse before they attempted the doing of it.

Now these Compacts, Oaths, or Vows were usually either in Temples, with the assistance of the sacred Ministers made, or at least sworn by the Deity or Deities, to which such people were devoted; and therefore Consultations concerning the necessity of altering those Resolutions, were usually had with the chiefest of those Heavenly Officers: and for this reason amongst some, other Princes of large Kingdoms did in ancient time keep the chief Celestial Character united to the Regal.

For

For Experience shewed, that men naturally seeking liberty, began to pervert that obligation which Nature taught, of omitting the performance of Vows, extremely prejudicial to society, into a belief, that there resided a power in these Spiritual Judges of the necessity absolutely to absolve at their discretion any person they pleased : So quickly the one through ambition of having such an Authority, and the other finding a convenience to satisfy their loose appetites, if they bribed the Possessors of this Divine good pleasure, did almost acquiesce in this unreasonable belief, that there was a Power delegated from Heaven to certain men, which made them Gods below : And that such persons had a power to make that at their good pleasure no sin, which in it self, if there be any good thing or bad, must naturally be so.

This indeed was the general practice of the ancient World before Christianity ; insomuch that *Moses* the most Divine Law-giver amongst them, did take it to himself, though he is far from being commended for it by our Saviour, when he speaks of the Jewish Priviledge or general Dispensation from one natural Oath, which is Marriage, that *Moses* was pleased, by virtue of this Authority he assumed to himself, to leave to that whole Nation.

For our Saviour plainly says, this Power did not come from God, but was assumed by *Moses* for the hardness of their hearts, and that all that Dispensation notwithstanding to put away a Wife, except for the case of Adultery (which seems a natural dissolution of the compact) was a sin.



So that I conclude : Our Saviour who had almost as much Authority as the Pope , never did pretend to any like that of making things in their own natures sinful, to become none ; but taught, that it was not in the power of *Moses*, nor any man else to do it.

Then let us descend to times succeeding that fulness of it which produced the Redemption of Mankind. *S. Paul* teaches sufficiently the necessity of keeping Vows ; and I do not find his Holinesses Predecessor *S. Peter* very frequent with his Dispensations. But leaving them, and hastening to those Ages, in which through the Piety of Christian Emperours, the Popes had arrived to a competency of temporal, as well as plenitude of Spiritual Authority in the World ; We do not find for some Ages after, that though several Emperours turned Arrian, any Pope pretended to an Authority of dispensing their Subjects from the Oaths of Fidelity they had taken to them.

But it is possible some may, and not impertinently, answer, There was then scarce such a thing in the World as an Oath of Allegiance ; therefore Dispensations from what were not in being, could not be expected.

To this I assent, and do well know Christian Religion in its Primitive Innocency taught obedience from the Laws of Nature, which some called Conscience, and did not suppose any persons truly toucht with its divine Doctrines, could need any other obligation to perform their duties either to God or their Neighbour, than what their sacred Initiating Vow of Baptism laid upon them. And so far I believe the Quakers, not without a true hint, that they needed one  
amongst



amongst another no other affirmations but Yea and Nay, and that they guided their Conversations by the true Rule Nature had taught them, which the Quakers call the Light within them.

But when Religion became National, and that many wicked people took the name of Christianity more for worldly than heavenly advantage, then were they forced to have recourse to new sort of solemn Oaths, taken either in Publick Churches, where Kings did likewise condescend to take new invented Coronation Oaths, and the People Oaths of Subjection in return. In the management of which Ceremony, the Bishops were the chief Officers, which by degrees hankt a great respect to them, and they not a little ambitious of more, taught the dependency of Subjects and Princes one upon the other, not to be from the Laws of Nature, but from these Compacts, which their Authority and nothing else could make Sacred.

These dangerous Tenets Princes not only at first connived at, but made use of. For the greatest part of the World being then shifting Subjection from the Roman Empire to native or more neighbouring Dominions, was shatter'd into petty Regencies; so that the Bishops, who preserved a kind of Unity of their distinct Authorities in that of the Roman Sees, had a greater power over the common peoples minds, than those Kings of Counties had. So that indeed Dominion was often transferred from lawful Princes that durst stomach these spiritual Usurpations, to U'rrpers that would truckle to the Clergy for their good word to prefer them.

Thus all things becoming again as in the first corruption

ruption of humane Nature, where every body were forced to secure themselves from violence and oppression by obligations, they believed most sacred Oaths invented or formed by Popes and other Bishops became the Method ; which when there was a necessity of breaking, then they were consulted with as persons best able to judge of that necessity, and above all of them the Pope, as the most eminent, and then thought most disinterested Bishop, he being well provided for in Temporalities, and very much eased from such entire subjection to the Civil Magistrate, as other Bishops in particular still remained under ; so from an unprejudiced assistant to Conscience, he by frequency of Addresses became at length an Umpire, then in a manner sole Judge of what Oaths or Compacts remained sacred, and what by contingencies ceased to be obligatory. So by degrees, as naturally all men aspire after Power, he took upon him to give, and the World accepted from him of course Dispensations from any Vows were troublesome either to their affairs or appetites ; and it may be, if he could have stopt here, the World and most Princes in it would have been contented still to have made use of this impossible Power he had assumed ; but at last they flew to such Practices, as disturbed, nay destroyed their own Sovereign, the Emperours that opposed their insolencies, and attempted no less against most Christian Kingdoms : nay to such a height were they arrived, that few Kingdoms but must owe they did at one time or other receive a new Race of Kings from their appointment. And though several of them, as particularly this Kingdom, have by Gods Providence received

ceived again their natural Princes, yet was it long first, and perhaps not truly in this Nation, till King *James's* assuming the Crown. But this excess, as well in their extention, as execution of their usurp'd Authority, alarm'd the World, and put that upon new Consultations for its safety against a Power which pretended to the deposing of Princes, and alteration of Governments, without so fair a warning as the beat of Drum. This produced our Statute of *Præmunire* against any person that should bring a Bull from *Rome*, and that as early as *Richard* the Second's days, where in it is likewise provided, That if any Nuntio, Legate, &c. should presume to set foot in this Nation on a Message from the Pope, without having first procured the Kings Licence, he should be proceeded against as an Enemy to the State.

This and many other Laws of the like kind made both in this Nation and other Kingdoms about those times, sufficiently shew how weary and afraid the Catholick World were grown of the Popes Pride and Usurpations.

But to return to the matter: If we will be so foolish to allow all things may lawfully be done, that have successfully been so, then the Popes have not only a Power to absolve all persons from their Oaths and Compacts, but likewise to alter the Government of Nations, and dispense to Subjects their natural obediences to their lawful Sovereigns, which are Tenets few Roman Catholicks in the World do hold to the full, and such as do, it is pity should be suffered to breathe any Air in safety but that of *S. John's de Lateran*, or the *Vatican*.

But

But not to leave the matter fully as I found it upon doubtful Suppositions, whether they have any Authority or no to dispense with any sort of Vows whatsoever, I will proceed to divide all sorts of Oaths in the World under these three several kinds.

First, Oaths to declare ones assent, or to strengthen ones duty in performance of such things as the Law imprinted in every rational Soul does require, should however be done.

Secondly, Oaths of Compact between Prince and Prince, State and State, or private person and private person, &c.

Thirdly, Voluntary Vows or Oaths to perform some Religious exercise or function, &c.

Under these three Heads I conceive all Oaths that have ever seemed to need or require Dispensation, do fall. As from Oaths in Evidence, those come not under our consideration.

Now in the first kind, neither the Pope, nor any Power that is, or ever was visible on Earth, could or can dispense; for that implies an Authority to give leave to commit things *malas in se*, and under this Head does clearly fall obedience of Subjects to their Princes, Children to their Parents, &c. things that, if there never had been Religion, would have no sooner lost their respect, but humane Nature would have lost its being by running into perfect confusion, which would quickly have produced its perfect extirpation. So that Oaths of this kind were not invented to create, but to keep in memory our duty: And where, upon great confusions in, and alterations of a Commonwealth, they have seemed to be otherways, in such cases

cases they will fall under the next Head.

Which are Compacts ratified by Oath for mutual convenience. These no power on Earth, neither ever could or had Authority to dispense with, except by consent of all Parties to the Bargain or Agreement; for to affirm the contrary, would imply some one person still remaining in Mr. *Hobbs* State of Nature, presiding over all his Leviathans, who should not only have a right to every thing in the World, but to break and dissolve all the Government of it at his pleasure, and indeed to annihilate humane Nature it self. But though no single person simply can have this Power of dispensing the performance of Compacts, yet have the Compactors themselves the undoubted Right of releasing one the other without consultation of any person unconcerned in the World.

Yet have Popes not only in the first, but likewise in the last, often put in their fingers, as particularly in the *Hungarians* fatal breach of solemn Faith, to the which punishment visibly shew'd from Heaven on the perjur'd Army, owned by many Catholick Divines almost as miraculous, has sufficiently evidenced to the World what little confirmation above is of such impious and destructive Dispensations. But when the Compactors themselves dispense one the other, no body boggles or starts at the breach of the Oath, as we see lately in *Holland*, where the States General dispensed the Prince of *Orange*, themselves and the Country of an Oath taken against State-Holders, which I have not yet heard of any man so say was not lawful for them by mutual consent to do. Though I know, had it been a Popish Country, there would have been some

Fees expected at the Apostolick Chamber for his Holinesses unnecessary Dispensation.

Thus we see, that Oaths in themselves dispensable, are easily by the proper persons dispensed, without the Authority of a heavenly Delegate, who can never arrive to a greater Dominion rightfully in the matter, than as a person whose discretion is proper to advise with, and can only be that too to such as are pleased freely to think him so.

But as for the last branch of Religious Vows, the Author or Prescriber of the form and fashion of the thing to which they swear, may have power to absolve at discretion from the performance of it; and I will not say but in our Church this may be the Popes Province, which if he pleases to keep within, he may; but if he will be still meddling, without being called, with other mens concerns, let him for me; but I fear it will be but to very little purpose; Kings and Governours being now wiser than to be over-aw'd too much by his Pragmatical censures.

Dear Brother, think not I have treated thus long upon Vows and Dispensations to inform you or any man else in this Age, who are wise enough without my help to know that all this boasted Power of the Popes to dispense men from Oaths or their Allegiance, has no foundation in Reason or Religion, and is only bolster'd up with Examples of the success of some former Bishops of *Rome* in their insolencies; which way of arguing is just of the same Authority, as if I should, to prove the piety of Highway robbing, tell you the story of the late famous *Hind*, who living many years on that profession, yet had the honour to dye for his Loyalty

Loyalty to his Prince, and not as a Thief.

But passing all these things over, I do conclude, it is not only lawful to take the Oath of Allegiance, but to keep it when we have done, nay that we are obliged to do the last under pain of eternal damnation; let the Pope say or dispense the contrary how he please. And further I do affirm, no rational man can prove the contrary sufficiently of the other Oath, notwithstanding its Bugbear name of Supremacy.

Nay now he's quite gone beyond recovery I am afraid you your self will say notwithstanding all brotherly affection, and then you'll go on in crying there was some hopes of recovering me to the Catholick Religion, whilst I only pleaded for going to Church and the Oath of Allegiance, but to say it is lawful to take that horrible terrible Oath of Supremacy, shews me a confirmed Heretick, ready to take the Test on the first opportunity for an Employment.

But, Brother, I desire you to suspend your censure of damnation against me, lest you prove as rash in it, as the Pope was that first Excommunicated this whole Nation in *Queen Elizabeth's* time. For no doubt he and several of his Successors since have in their minds secretly repented so inconsiderate an act, though they will not acknowledge it, by taking off that censure, till some previous Action of the Nation requires it, which I am not like to live to see. My reason for this Supposition is one of the motives of my asserting the lawfulness for us of taking the Oath of Supremacy. For what reason can there be for our refusing to do so, since he refuses all spiritual Superiority over us, and the King accepts it, and in these two points consists



the whole scope of this Oath? It requires me to swear the Pope has no Authority over this Kingdom. And if I will take his own honest word, he has not, nor will not have. What can be better than his own most solemn Excommunication to prove it?

The next Point I am to swear, is, That the King is Head of all Persons and Affairs as well Ecclesiastical as Civil in these his Dominions, which no person that hath his right wits I think can deny, as the case now stands. For if ever the Popes were Heads or Supreme in Ecclesiastical Affairs within this Nation, they have long since, by an Act of their own as well as of the Nations, ceased to be so. Therefore if any be, it must be the King, since the Law says so; though it be worth inquiring as to this point, how the Law means him Head of Ecclesiastical matters.

First, I suppose it means Head of that Church and the Ecclesiastical Affairs therein that is established by Law. For it cannot mean any other, since we see a power of Dispensation contrary to Law for the most minute dissenters, to meet in another Form of serving God, has been controverted. Not to say more of the point therefore: if there must be but one Religion established, and no other tolerated, then the Law only intends him Head of that, which the Pope himself will not deny him to be. So I suppose I may lawfully swear him that, which no other person ever did or can pretend to besides. Now this matter having been excellently well treated of and handled in former times by some learned Casuists, when the Intention of the Law, in the point which commands the Oath, was not so plain as the Law-makers by late passages seem

to make it; I say, since many good Catholick Casuist Priests have writ in defence of the taking it in former times, I will omit to press that further, which to me appears plain; resolving however, if you shall send me your doubts, of this or any other point discussed herein, that I will readily answer them to the best of my skill, being satisfied in my Conscience, that I have said nothing herein scandalous to Catholick Religion it self, nor to any one but such that make that the sheeps raiment for wolvissh designs.

So, Brother, once again I desire you to take into your serious consideration, what it is to lose a good Estate, not for conscience, but ignorance, to make your self incapable of doing service to your Prince, when there may be occasion; but above all, what scandal you stamp on the Religion you profess, if you obstinately and without reason shall persist in disobedience to every thing the Law appoints the Subjects of this Nation to do.

As for your expectation of assistance from the King, it is one of the most unreasonable things, examine it rightly, that can enter into the heads of men, whether you take it quadrate to his personal or rational Interest.

For alas, to say the Catholicks of this Nation were all loyal, or rather truly not disloyal to his Father and him, is but to make a History of a very short Age. For all the World knows, that it is as possible for Catholicks to be Rebels, if it consists with their Interests, as any other men; for he that should deny this, might as well affirm we had no such thing as Rebellions in *England* before *Henry* the Eighth's time, which I suppose,

pose, if he would consider how King *Johns* Charter of Priviledges was extorted from him, he would by no means assert. But alas, let us say what we will on this side the Water, our Brethren in *Ireland*, we know too well, led the dance to all the late mischiefs, except now I reflect on it, they were out-posted by the Covenanters of *Scotland*. But indeed it is a folly to expect that any Religion, being once become an Art, will refuse to have recourse to the Sword against being oppressed, and I am afraid it is much for want of numbers proportionable, the best of them are quiet in such circumstances.

But however supposing the best, that all Catholicks were loyal, and that their Principles made them so, is that an Argument sufficient to make the King provoke all his other Subjects to be otherways by his Indulgence to them, who are not as one man to a hundred of the Nation? Which is most reasonable, that you, dear Brother, should strive as far as you can by the Rules of your Religion to comply with the Law for your own advantage, or that the King should be forced to stop the course of it to his own prejudice to comply with your nice obstinacy, meerly because he has your bare word, that you will be very serviceable to him? If another Rebellion shall on that account arise, I am confident the case thus stated, as certainly it does at present stand, all rational men, nay the Pope himself, would conclude, that the King in not meddling, but letting the Law and you tug for it, is much in the right. Nor could he himself, were he a Subject of any Catholick Country, expect more friendship or favour. So for whole sake this happens  
to

to you is not material, so it is, and is like to be. Therefore let me once again advise you, go to Mass at seven, to Church at nine, and if Mr. Politick scruples giving you Absolution for your sins, except you confess that for one, send to me, I'll find you one shall venture his neck in the point to serve you for twenty pounds a year, which you may easily save out of the two thousand that is *demitia* except you follow my counsel, and deal with none but honest Catholick Priests, not Roman Courtiers, Men that aspire to be Provincials, nay perhaps General of their Orders for their sturdy tricks in opposition to our Laws. These things I have said are great truths, that you will thank me for one day, if you follow the advice; if not, you will repent your self, when you shall be ashamed not to persist contrary to reason in what you so unreasonably began.

I could, Brother, have said much more to the Point, which it may be I will add as I find you relish this; till when I shall remain, saying *Paters* and *Aves* for the opening of your understanding to your own good: So farewell.

---

F I N I S.